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November 27, 2012

VIA FACSIMILE (With Approval)**(212) 805-7910**

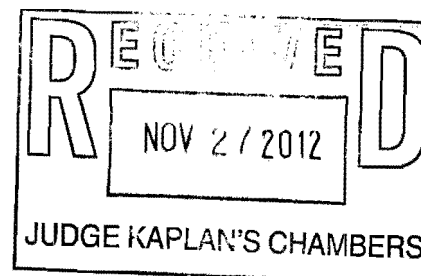
Honorable Lewis A. Kaplan

United States District Judge

Southern District of New York

500 Pearl Street

New York, New York 10007



Re: United States v. Evan Zauder
12 Cr. 659 (LAK)

Dear Judge Kaplan:

With the consent of the Government, we, on behalf of defendant Evan Zauder, respectfully request a modification of the pre-trial schedule in the above-captioned matter.

Currently, the defendant is required to submit his motions on November 30, 2012, the Government's response is to be submitted December 21, 2012, the defendant's reply is to be submitted January 7, 2013, and a conference (or argument if necessary) is scheduled to be held on January 18, 2013. Trial is scheduled to commence on February 4, 2013.

This schedule was predicated on completion of discovery by October 31, 2012. Unfortunately, due to Hurricane Sandy, the United States Attorney's Office and the FBI's local office were closed for several days. These closures prevented discovery from being completed on October 31. It should be noted that, as of the date of this letter, we have received the majority of discovery materials and plea negotiations are still ongoing.

Accordingly, we respectfully propose the following modification of the pretrial schedule to account for the additional time it has taken to complete discovery: The defendant will submit his motions on December 14, 2012, the Government will respond on January 4, 2013, and the defendant will reply on January 11, 2013. The parties, at this time, do not seek to change the conference (argument) or trial dates.

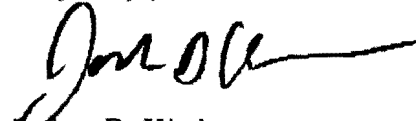
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BRAFMAN & ASSOCIATES, P.C.

Should the Court have any questions, we stand ready to assist. Thank you for your courtesy in this and all other matters.

Very truly yours,



Joshua D. Kirshner

cc: AUSA Andrea Surratt (via e-mail)
AUSA Paul Monteleoni (via e-mail)

Granted
SO ORDERED


LEWIS A. KAPLAN, USDJ

11/27/12